

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SECRETARY OF LABOR MARTIN J. WALSH	:	CIVIL ACTION
<i>United States Department of Labor,</i>	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
NURSING HOME CARE MANAGEMENT INC., et al.,	:	
<i>Defendants.</i>	:	NO. 21-cv-02583

NOTICE

AND NOW, this 19th day of **April 2022**, upon receipt of Mr. Aaron's email requesting clarification of the Court's Order dated April 12, 2022, denying in part and granting in part Plaintiff's Motion to Compel Discovery Responses (ECF No. 23) and granting Defendant's Motion for Protective Order (ECF No. 24), it is hereby **NOTICED** as follows:

1. The Order requires the parties to submit a joint proposal regarding the timing for the completion of discovery only on liability and damages for the employees listed in Schedule A to the complaint for the investigation period of November 9, 2015 to November 4, 2018, and briefing schedule for summary judgment and oral argument on the question of whether Defendants' practices are lawful under the FLSA. Parties should submit the joint proposal by **Thursday, April 21st at 10:00am.**
2. Defendants do not need to produce discovery for the period of November 4, 2018 to the present at this stage of the litigation. Depending on the Court's ruling on summary judgment, Defendants may need to produce it later if there is a need for post-summary judgment discovery and the Court may address the scope of

discovery again at that time if the Court finds Defendants' practices to be unlawful.

3. Accordingly, if the Court determines, as a matter of law, that the employees identified in Schedule A have been damaged pursuant to Defendants' practices, then the Court may order the names of unknown employees to be revealed as part of post-summary judgment discovery. At this time, the Defendants do not need to produce the identity, contact information, and records related to employees not listed on Schedule A.
4. Finally, depending on the ruling on summary judgment, the Court may allow additional discovery within the November 9, 2015 to November 4, 2018 period, as well as post-November 2018 to the present, as needed.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE